

Thompson Robinson : reported the same back to the Senate, and recommended its passage.

A message was received from the House, informing the Senate, that the House had passed a bill for the relief of Peter Lopez and Henry Tierwester ; and

A bill for the relief of Berry Merchant.

On motion of Mr. Hart, the Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, November 27, 1850.

The Senate was called to order by the President—Senators present: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace.

The journals of yesterday were read and adopted.

Mr. Portis, from the Judiciary committee, to whom was referred a bill for the relief of John Edmonds ; reported the same back to the Senate and recommended its passage.

Mr. Campbell, from the Judiciary committee, to whom was referred a bill to incorporate the town of Dallas, in Dallas county; reported the same back to the Senate, and recommended its passage.

Mr. Wallace introduced a joint resolution for the relief of John S. Roberts. Read first time.

On motion of Mr. Wallace, the rule was suspended, and resolution referred to the committee on Military Affairs.

Mr. Latimer, from the committee on Public Lands, to whom was referred a bill for the relief of John McLennan, Jr.; reported that a majority of the committee had instructed him to report it back to the Senate, and recommend its passage.

On motion of Mr. Robertson, the rule requiring reports to lie on the table one day, was suspended, and the above report taken up and placed among the orders of the day.

Mr. Robertson introduced a joint resolution, instructing our Senators, and requesting our Representatives in the Congress of the United States, to endeavor to procure the repeal of the first provision contained in the fifth proposition of the bill proposing to the State of Texas to establish her Northern and Western boundaries, and the ceding of her claim to territory exterior to said boundary. Read first time.

Mr. Barleson introduced a bill for the relief of J. W. E. Wallace. Read first time.

On motion of Mr. Barleson, the rule prohibiting bills from being referred on their first reading, was suspended, and bill referred to the committee on Finance.

A message was received from the House, informing the Senate, that the House had passed the following bills:

A bill for the relief of Thomas J. Jordon.

A bill regulating the pay of certain volunteers, who served in 1842.

A bill appropriating ten thousand dollars, or as much thereof as may be necessary for the payment of the mileage and per diem pay of the members of the second extra session of the third Legislature.

A bill to amend the first section of an act to incorporate the Galveston and Brazos Navigation Company.

A bill to authorize the Clerk of the County Court of Navarro county, and the County Clerk of Tyler county, to transcribe into a bound book, severally, to be procured by them for that purpose, all the records and title papers hereinafter mentioned, registered by the said County Clerks.

A bill for the relief of certain persons therein named.

A bill to authorize the Governor to employ counsel in the Supreme Court of the State, in cases where the present Attorney General has been employed.

A bill for the relief of Reuben R. Brown; and

A bill granting one league and labor of land to Brevet Major William S. Henry, of the United States Army.

Which were severally read first time.

Mr. Taylor, from the committee on Engrossed Bills, reported as correctly engrossed, a bill to prevent the sale of spirituous or vinous liquors to Indians, within the State of Texas.

ORDERS OF THE DAY.

A bill to prevent the sale of spirituous or vinous liquors to Indians, within the limits of Texas. Read.

Mr. Campbell offered the following amendment:

“Provided, That nothing in this act contained, shall be so construed as to prevent the citizens of the counties of Cooke, Grayson, Fannin, Lamar and Red River, from trading in spirituous liquors with the Choctaw and Chickasaw Indians on Red River.

On motion of Mr. Grimes, the bill and the amendment were recommitted to the committee on the Judiciary.

Mr. Wallace introduced a bill to authorize the Secretary of the Senate to purchase the necessary stationery for the use of the next regular session of the Legislature. Read first time.

A bill for the relief of Berry Merchant. Read first time.

A bill for the relief of Peter Lopez and Henry Tierwester. Read first time.

Joint resolution for the relief of Alanson Furguson, together with the report of the committee on Private Land Claims, offering a substitute therefor; was read; substitute adopted and bill ordered to be engrossed.

A bill for the relief of Lorenzo D. Henderson and the heirs of William Donoho, deceased, and Charles Ames. Read second time and passed to a third reading.

A bill to establish public schools, in the county of Comal. Read second time.

Mr. Hart moved to amend the bill by striking out the sixth section. Lost.

The bill was then ordered to be engrossed.

On motion of Mr. Van Derlip, the rule was suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Burleson, Campbell, Grimes, Kinney, Portis, Robertson, Truit, Van Derlip and Wallace—9.

Nays: Messrs. Brashear, Cooke, Gage, Hart, Latimer, McRae, Moffett, Parker and Ward—9.

There being a tie, the President voted in the affirmative.

On motion of Mr. Portis, the rule requiring reports to lie on the table one day, was suspended, and the report of the Judiciary committee on a bill for the relief of John Edmonds, was taken up, and placed among the orders of the day.

A bill for the relief of John McLennan, jr. Read second time.

Mr. Hart moved to amend the bill by striking out "one league" and inserting "one-third of a league." Rejected, and bill ordered to be engrossed.

On motion of Mr. Burleson, the rule was suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Latimer, McRae, Parker, Robertson, Taylor, Truit, Ward and Wallace—14.

Nays: Mr. Hart—1.

On motion of Mr. Grimes, the Senate adjourned until 3 o'clock P. M.

3 O'CLOCK P. M.

Senate met—quorum present.

Mr. Campbell, from the Judiciary committee, to which was referred a bill to authorize the settlers in Peters' Colony to intervene in suit or suits, in reference to any matter connected with said colony contracts, where they have an interest; reported the same back to the Senate, and recommended its passage.

Mr. Van Derlip, from the Judiciary committee, to which was referred a bill to require the Commissioner of the General Land Office to issue patents for lands therein mentioned; reported the same back to the Senate, and recommended its passage.

A bill for the relief of John E. Linn. Read third time and passed.

A bill to amend an act to incorporate the Galveston Ferry, Freight and Towboat Company. Read second time and passed to a third reading.

A bill for the relief of Peter Gallagher and the legal representatives of Archibald Fitzgerald and Thompson Robinson. Read second time, and ordered to be engrossed.

On motion of Mr. Van Derlip, the rule was suspended; bill read third time and passed.

A message was received from the House, informing the Senate, that the House refused to concur in the amendments of the Senate to a bill to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846; and had appointed Messrs. Stapp, Clements, Franklin, Dickson, Holland and Johnson, a committee of conference thereon, and requested the appointment of a like committee on the part of the Senate.

On motion of Mr. Gage, a committee of conference, consisting of four were appointed on the part of the Senate.

Messrs. Gage, Portis, Wallace and Kinney, were appointed said committee.

Mr. Cooke introduced a bill to change the name of Emmet Baylor Patrick to that of Emmet Harlan Patrick. Read first time.

A bill for the relief of John Edmonds. Read second time and ordered to be engrossed.

On motion of Mr. Portis, the rule was suspended; bill read third time and passed.

On motion of Mr. Taylor, the Senate adjourned until 9 o'clock to-morrow morning.

THURSDAY, November 28, 1850.

The Senate was called to order by the President—Senators present: Messrs. Brashear, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Portis, Taylor, Truit, Van Derlip, Ward and Wallace.

The journals of yesterday were read and adopted.

Mr. Wallace presented the petition of Mary Alexander; referred to the committee on Private Land Claims.

Mr. Gage presented the memorial of Robert W. Smith, asking the passage of a law to enable him to bring suit against the State to establish a certificate for land therein named; referred to the committee on Private Land Claims.

Mr. Gage presented the petition of James McWilliams, asking the passage of a law giving him a third of a league of land for services performed; referred to the committee on Private Land Claims.

Mr. Brashear presented the petition of John Green, jr.; referred to the committee on Claims and Accounts.

Mr. Parker presented the petition of Philip L. Trimble, asking permission to erect mills and other machinery on Neches river; referred to the committee on Internal Improvements.

Mr. Parker presented the petition of the citizens of Houston county, asking tax to be levied to build a courthouse, &c.; referred to the committee on Finance.

Mr. Burleson presented the petition of the citizens of Travis county.

On motion of Mr. Burleson, it was laid on the table.

Mr. Grimes, chairman of the committee on Finance, to whom was referred a bill concerning the school fund; reported that in the opinion of the committee, it is inexpedient to appropriate the school fund, unless the bonds or stock of the United States were in hand, so that the amount of the school fund might be immediately hypothecated to supply the place of such school fund; they therefore, reported the bill back to the Senate, and recommended that it lie on the table.

Mr. Latimer, chairman of the committee on Public Lands, to whom was referred a bill to authorize the Commissioner of the General Land Office to issue to James J. Eldridge, his heirs or assigns, a headright certificate for one-third of a league of land; reported the same back to the Senate, and recommended its passage.

Mr. Latimer, chairman of the committee on Public Lands, to whom was referred a bill concerning the book or register of land

certificates issued by the Board of Land Commissioners for the county of Harris, which was at one time mislaid, but the book has subsequently been found and identified, as genuine and unaltered; reported the same back to the Senate and recommended its passage.

On motion of Mr. Brashear, the rule requiring reports to lie on the table one day, was suspended, and report taken up; bill read and passed to a third reading.

On motion of Mr. Brashear, the rule was further suspended; bill read a third time and passed.

Mr. Grimes introduced a bill for the relief of William Cummins. Read first time.

On motion of Mr. Grimes, the rule prohibiting bills being referred on their first reading, was suspended, and bill referred to the committee on Private Land Claims.

Mr. Grimes introduced a bill for the relief of John Bethea. Read first time.

On motion of Mr. Grimes, the rule was suspended and bill referred to the committee on Private Land Claims.

Mr. Grimes introduced a bill for the relief of Martha McMillan. Read first time.

On motion of Mr. Grimes, the rule was suspended. Read second time, and referred to the committee on Private Land Claims.

A message was received from the House, informing the Senate that the House had passed a bill to incorporate the Brazos and Bernard Railway and Plankroad Company.

Mr. Ward, from the committee on Enrolled Bills; made the following report:

The Joint Enrolling committee have examined an act to authorize and require the Commissioner of the General Land Office to issue a patent to William Shipp, of Sabine county, for one league of land.

Also, an act entitled an act to legalize a copy of the record in the office of the County Surveyor of the county of Washington; and find the same correctly enrolled, and having been signed by the Speaker of the House and President of the Senate, were presented to the Governor for his examination, on the 27th instant.

Mr. Portis made the following report:

The joint committee of Conference of the Senate and House of Representatives, upon the disagreement of the two Houses upon the Senate's substitute to the House's bill, entitled an act to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846, have had the same under consideration, and a majority of

the committee have agreed to amend the Senate's substitute, by adding the counties of Victoria, Calhoun, Jackson, DeWitt and Goliad, after the word "Medina," in the 14th line of second section, and to strike the same from the 28th and 29th lines of said second section, and recommend the adoption of the Senate's substitute to the two Houses.

DAVID Y. PORTIS,
on part com. of the Senate.

D. M. STAPP,
on part of the House.

ORDERS OF THE DAY.

A bill for the relief of Lorenzo D. Henderson, and the heirs of William Donoho, deceased, and Charles Ames. Read third time and passed.

A bill to amend an act to incorporate the Galveston Ferry, Freight and Towboat Company. Read third time and passed, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Kinney, Latimer, McRae, Moffett, Parker, Portis, Robertson, Van Derlip, Ward and Wallace—15.

Nays: Messrs. Gage, Hart, Taylor and Truit—4.

A bill to provide for the final adjustment of the public debt of the late Republic of Texas. Read.

On motion of Mr. Wallace, the first section was amended by inserting "three months," after the word "cause," in second line.

On motion of Mr. Wallace, the second section of the bill was stricken out, by the following vote:

Yeas: Messrs. Brashear, Burleson, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Portis, Taylor, Truit, Van Derlip and Wallace—16.

Nays: Messrs. Robertson and Ward—2.

On motion of Mr. Wallace, the third section was amended by striking out "holding," in fifth line, and inserting "as held."

On motion of Mr. Grimes, the 4th section was amended by inserting "that," after the word "and," in the eleventh line.

Mr. Van Derlip moved to strike out the fifth section.

On motion of Mr. Gage, the Senate adjourned until 3 o'clock, P. M.

Senate met—quorum present.

3 O'CLOCK, P. M.

The question before the Senate was on Mr. Van Derlip's motion to strike out the fifth section.

Mr. Ward offered the following amendment to said section :

" *Provided*, That nothing contained in the provisions of this section shall apply to or confirm any of the class of claims known as the third class, but shall apply exclusively to the first and second class, as reported by the Auditor and Comptroller." Adopted.

The question then recurred on Mr. Van Derlip's motion to strike out the fifth section, and was carried by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Latimer, McRae, Moffett, Parker, Truit and Wallace—11.

Nays: Messrs. Gage, Hart, Portis, Taylor and Ward—5.

On motion of Mr. Hart, the sixth section was stricken out.

On motion of Mr. Gage, all of the seventh section was stricken out, except the last clause.

On motion of Mr. Hart, the first section of the bill was stricken out.

On motion of Mr. Wallace, the bill was referred to the committee on the Judiciary.

Mr. Burleson, chairman of the committee on Military Affairs, to whom was referred a bill for the relief of John S. Roberts; reported the same back to the Senate, and recommended its passage.

Mr. Cooke, chairman of the committee on Claims and Accounts, to whom was referred the petition of John Green, jr.; reported a joint resolution for the relief of John Green, jr. Read first time.

Mr. Truit introduced a joint resolution in relation to Indian depredations and massacres. Read first time.

On motion of Mr. Portis, the rule was suspended; resolution read second time, and referred to the committee on Military Affairs.

Mr. Cooke introduced a bill for the relief of J. C. Lynch. Read first time.

On motion of Mr. Cooke, the rule was suspended; bill read second time, and referred to the committee on Private Land Claims.

A message was received from the House, informing the Senate that the House had passed the following bills, viz:

A bill to incorporate the Shelby University.

A bill for the relief of James Chesher, Sen.

A bill to amend the sixth section of an act concerning slaves, approved the 5th February, 1840.

A bill for the relief of Zachariah N. Morrell.

A bill to amend an act to incorporate the City of New Braunfels.

A bill to authorize the Executive Board of Managers of the Masonic Female Institute, at Marshall, Harrison county, to confer degrees and for other purposes.

Also, that the House had passed a bill amendatory of an act to create the county of Freestone, which originated in the Senate.

Mr. Brashear introduced a bill for the relief of David Andrews. Read first time.

On motion of Mr. Brashear, the rule was suspended by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—16.

Nays: Mr. Hart—1.

Bill read second time and referred to the committee on Private Land Claims.

Mr. Parker presented the petition of Daniel Martindale; referred to the committee on Private Land Claims.

A bill to authorize the settlers in Peters' Colony to intervene in suit or suits, in reference to any matter connected with said Colony contracts, where they have an interest. Read second time, and passed to a third reading.

On motion of Mr. Campbell, the rule was suspended; bill read third time and passed.

A bill granting one league and labor of land to Brevet Major William S. Henry, of the United States Army. Read second time.

On motion of Mr. Hart, laid on the table, by the following vote:

Yeas: Messrs. Campbell, Grimes, Hart, Latimer, McRae, Moffett, Parker, Taylor, Truit, Ward and Wallace—11.

Nays: Messrs. Brashear, Burleson, Cooke, Gage, Portis, Robertson and Van Derlip—7.

Mr. Wallace introduced a bill prescribing the time at which the act dividing the Supreme Court shall go into effect. Read first time.

On motion of Mr. Wallace, the rule was suspended; bill read second time and referred to the committee on the Judiciary.

A bill to amend the first section of an act to incorporate the Galveston and Brazos Navigation Company. Read second time and passed to a third reading.

On motion of Mr. Robertson, the rule was suspended; bill read third time and passed, by the following vote:

Yeas : Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Latimer, McRae, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—15.

Nays : Mr. Hart—1.

Mr. Grimes introduced a bill to repeal an act to reserve one of the public buildings in the city of Austin, for the Supreme Court. Read first time.

On motion of Mr. Brashear, the rule was suspended ; bill read second time, and ordered to be engrossed.

On motion of Mr. Brashear, the rule was further suspended, by the following vote :

Yeas : Messrs. Brashear, Burleson, Campbell, Grimes, Hart, Latimer, McRae, Parker, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—14.

Nays : Mr. Gage—1.

Bill read third time and passed.

A message was received from the House of Representatives, informing the Senate, that the House refused to adopt the report of the committee of Conference, on a bill to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846.

On motion of Mr. Gage, the report of the committee of Conference was laid on the table.

On motion of Mr. Parker, the report was taken up.

Mr. Parker moved that the Senate refuse to adopt the report.

Mr. Truit called for the previous question.

Messrs. Portis, Robertson and Van Derlip, moved a call of the Senate.

On motion of Mr. Gage, the call was suspended.

Messrs. Portis, Robertson and Van Derlip renewed the call.

Mr. Gage offered the following resolution :

Resolved, That the twenty-fifth rule of the Senate be rescinded.

On motion of Mr. Latimer, the Senate adjourned until 9 o'clock, to-morrow morning.

FRIDAY, November 29, 1850.

The Senate was called to order by the President—Senators present : Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip Ward and Wallace.

Journal of yesterday read and adopted.